

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

Senate Bill 286

BY SENATOR TARR

[Introduced January 10, 2020; referred
to the Committee on Health and Human Resources;
and then to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §16-59-1 and §16-59-2, all relating to prohibiting the development of syringe
 3 exchange programs; providing for the closure of existing programs; and providing for civil
 4 penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE. PROHIBITION OF SYRINGE EXCHANGE PROGRAMS.

§16-59-1. Syringe Exchange Programs prohibited.

1 The Bureau for Public Health may not permit any provider to offer a syringe exchange
 2 program in the State of West Virginia in any location. To the extent that existing providers are
 3 currently providing hypodermic needles and/or offering a syringe exchange program, the provider
 4 shall close this service immediately upon passage of this article or be in violation of this provision.

§16-59-2. Civil penalties.

1 The Bureau for Public Health may assess a civil penalty of not less than \$500 nor more
 2 than \$25,000 for a violation of this article. The Bureau for Public Health may seek injunctive relief
 3 to enforce the provisions of this article.

NOTE: The purpose of this bill is to prohibit the opening of syringe exchange programs and to close existing programs and to provide civil penalties for violations.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.